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On: 14 May 2008

By: _____
William S. Francos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/751,723
Applicant(s): John M. Monk
Filed: January 5, 2004
TC/A.U.: 2600/2619
Examiner: Jeffrey M. Rutkowski
Atty. Docket: 10021131-01
Confirmation No.: 2252
Title: Systems and Methods for Characterizing Packet-Switching Networks

Response to Notice of Non-Compliant Appeal Brief

Honorable Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the Notice of Non-Compliant Appeal Brief dated April 25, 2008, Applicants provide the following, each beginning on a separated sheet:

I. Replacement Section;

II. Remarks/Discussion of Issues.

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I. Replacement Section

5. Summary of the Claimed Subject Matter[1]

In accordance with an embodiment, a packet-network analyzer system (Fig. 1, 100), including a host analyzer (Fig. 1, 105) communicatively coupled to a first client analyzer (Fig. 1, 110), wherein the host analyzer (105) incorporates a neural processing module (Figs. 4 and 6, 410) to process raw digital data provided to the host analyzer (105) by the first client analyzer (110) for characterizing a packet-network-under-test (Figs. 1, 120) that is connected to the first client analyzer (110). (Kindly refer to paragraphs [0023] through [0024], paragraph [0026], paragraph [0033], paragraphs [0036] through [0038], paragraphs [0041] through [0042], as well as claim 1, Figs. 1, 2, 4 and 6, for further details.)

In accordance with another embodiment, a method (Fig. 8) for analyzing a packet-network-under-test (Fig. 1, 120; Fig. 2, 235) includes receiving raw digital data (Fig. 8, 805) that is derived from a packet-network-under-test; generating a selected data set from the received raw digital data (Fig. 8, 810); generating a normalized data set from the selected data set (Fig. 8, 815); and processing the normalized data set in a neural network to generate a set of rules and relationships (Fig. 8, 820). The method also includes using the set of rules and relationships for mining the selected data set to generate a mined data set (Fig. 8, 825); and using the mined data set to characterize the packet-network-under-test (Fig. 8, 830). (Kindly refer to paragraphs [0036] through [0038], paragraphs [0041] through [0042] and paragraph [0052], as well as claim 11, Figs. 1, 2, 4, 6 and 8, for further details.)

In accordance with another embodiment, a packet-network analyzer system (Fig.

[1] In the description to follow, citations to various reference numerals, drawings, and corresponding text in the specification are provided solely to comply with Patent Office rules. It is emphasized that these reference numerals, drawings, and text are representative in nature, and not in any way limiting of the true scope of the claims. It would therefore be improper to import anything into any of the claims simply on the basis of illustrative language that is provided here only under the obligation to satisfy Patent Office rules for maintaining an Appeal.

1, 100; Fig. 2, 200; Fig. 7, 105) stored on a computer-readable medium (Fig. 7, 705, 707, 720) includes logic configured to receive raw digital data that is derived from a packet-network-under-test (Fig. 4, 425; Fig. 7, 720; Fig. 8, 805); logic configured to generate a selected data set from raw digital data of the packet-network-under-test (Fig. 4, 420; Fig. 7, 730; Fig. 8, 810); logic configured to generate a normalized data set from the selected data set (Fig. 4, 415; Fig. 7, 733; Fig. 8, 815); and logic configured to process the normalized data set in a neural network to generate a set of rules and relationships (Fig. 4, 410; Fig. 6, 610, 615; Fig. 7, 732; Fig. 8, 820). The packet-network analyzer also includes logic configured to use the set of rules and relationships for mining the selected data set to generate a mined data set (Fig. 4, 405; Fig. 7, 731; Fig. 8, 825); and logic configured to use the mined data set to characterize the packet-network-under-test (Fig. 4, 405; Fig. 7, 731; Fig. 8, 825). (Kindly refer to paragraphs [0036] through [0038], paragraphs [0041] through [0042], paragraphs [0047] through [0049], paragraph [0050], and paragraph [0052], as well as claim 17, Figs. 1, 2, 4, 6 7 and 8, for further details.)

In accordance with another embodiment, a packet-network analyzer system (Fig. 1, 100; Fig. 2, 200; Fig. 7, 105) stored on a computer-readable medium (Fig. 7, 705, 707, 720) includes means for receiving raw digital data that is derived from a packet-network-under-test (Fig. 4, 425; Fig. 7, 720; Fig. 8, 805); means for generating a selected data set from raw digital data of the packet-network-under-test (Fig. 4, 420; Fig. 7, 710, 730; Fig. 8, 810); means for generating a normalized data set from the selected data set (Fig. 4, 415; Fig. 7, 710, 733; Fig. 8, 815); and means for processing the normalized data set using a neural network to generate a set of rules and relationships (Fig. 4, 410; Fig. 6, 610, 615; Fig. 7, 710, 732; Fig. 8, 820). The packet-network analyzer also includes means for using the set of rules and relationships for mining the selected data set to generate a mined data set (Fig. 4, 405; Fig. 7, 710, 731; Fig. 8, 825); and means for using the mined data set to characterize the packet-network-under-test (Fig. 4, 405; Fig. 7, 710, 731; Fig. 8, 825). (Kindly refer to paragraphs [0036] through [0038], paragraphs [0041] through [0042], paragraphs [0047] through [0049], paragraph [0050], and paragraph [0052], as well as claim 21, Figs. 1, 2, 4, 6 7 and 8, for further details.)

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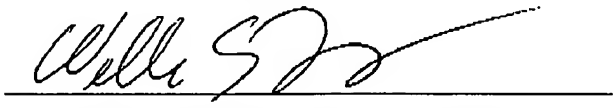
II. Remarks/Discussion of Issues

The Notice of Non-Compliant Brief indicates that only the deficient section necd be submitted. Thus, Applicants provide the section above. Proper reference to claim 21 is added. If any issues remain that may be addressed by telephone, the Examiner is requested to contact the undersigned at the telephone number below.

Respectfully submitted on behalf of:
Agilent Technologies, Inc.



by: William S. Francos (Reg. No. 38,456)
Date: May 14, 2008

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